

To the Members of the California State Senate:

I am returning Senate Bill 1338 without my signature.

This bill repeals the sunset date for the provision of workers' compensation law that allows a small number of employees to predesignate a personal physician to treat work-related injuries. The proponents of this measure have failed to demonstrate why this law should be extended. My workers' compensation reforms struck the appropriate balance between the employer and the employee in selecting the physicians that treat injured workers. There is no reason a select few employees should be allowed to opt out of a system that is working well for everyone else.

The law on predesignation does not sunset until 2009. If the proponents wish to try again next year to repeal the sunset, I encourage them to better demonstrate the need for this change.

For these reasons, I am unable to sign this measure.

Sincerely,

Arnold Schwarzenegger